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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,913	03/08/2004	James M. Brugger	53951-094	1674
21890	7590	03/26/2007		
PROSKAUER ROSE LLP PATENT DEPARTMENT 1585 BROADWAY NEW YORK, NY 10036-8299			EXAMINER HAND, MELANIE JO	
			ART UNIT	PAPER NUMBER
			3761	
			MAIL DATE	DELIVERY MODE
			03/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/796,913

EXAMINER

ART UNIT

PAPER

20070312

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Commissioner for Patents

The reply filed on December 26, 2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Amended claim 1 and claims 16-23 are directed to a blood treatment system comprising a blood treatment machine and a flow treatment machine, a species which is non-elected by original presentation. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Further, claims 1, 16 and 23, were they compliant, would receive a rejection under 35 U.S.C. 112 as they set forth a flow treatment machine that lacks proper antecedent basis.

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SUPERVISORY PRIMARY EXAMINER